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10 UNITED STATES DISTRICT COURT
11 FOR THE EASTERN DISTRICT OF WASHINGTON
12

13 UNITED STATES OF AMERICA,

14 Plaintiff,

15 vs.

16 PATRICK ELLIOTT PEARSON,

17 Defendant.
18

2:19-CR-00111-WFN-3

UNITED STATES'
RESPONSE TO DEFENDANT'S
MOTION TO SUPPRESS

19 Plaintiff, United States of America, by and through William D. Hyslop, United
20 States Attorney, for the Eastern District of Washington, and Caitlin Baunsgard,
21 Assistant United States Attorney for the Eastern District of Washington, respectfully
22 submits the following response to Defendant's Motion to Suppress Evidence.

23 The United States submitted a response to the Defendant's Motion to Suppress
24 on March 1, 2021. The Court's electronic filing system was undergoing maintenance
25 and the United States was not able to file its response electronically. The United
26 States emailed its response to the Court and defense counsel on that date.

27 Since that time, the United States has completed additional due diligence and
28 consulted with additional agents. There now appears to be a lack of clarity on the
nature and scope of the partial invocation of the Defendant's *Miranda* rights on July

1 24, 2019. Erring on the side of protecting the Defendant's rights, the United States
2 will not seek to introduce in its case-in-chief any statements made by the Defendant
3 during his time in hospital (*i.e.* the subject of the Defendant's instant motion). The
4 United States seeks to withdraw its response to the Defendant's motion to suppress
5 submitted on March 1, 2021.

6 **CONCLUSION**

7 Based on the foregoing, the United States submits the Defendant's motion is
8 moot, as the United States will not seek to admit this evidence in its case-in-chief.

9 Dated: March 2, 2021.

10 William D. Hyslop
11 United States Attorney

12 s/ Caitlin Baunsgard
13 Caitlin Baunsgard
14 Assistant United States Attorney

15 **CERTIFICATE OF SERVICE**

16 I hereby certify that on March 2, 2021, I electronically filed the foregoing with
17 the Clerk of the Court using the CM/ECF system which will send notification of such
18 filing to the following:

19
20 Dave Partovi

21
22 s/ Caitlin Baunsgard
23 Caitlin Baunsgard
24 Assistant United States Attorney
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26
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